

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

**UNITED STATES OF AMERICA**

**v.**

**OKSANA VOVK**

**Defendant**

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**Case No.: 1:19-CR-283**

**MOTION TO DISMISS INDICTMENT**

COMES NOW the Defendant, Oksana Vovk, by and through counsel, and respectfully moves the Court to dismiss the indictment in the instant case. In support of this motion, Defendant states as follows:

1. On September 19, 2019, Defendant Oksana Vovk was named in a two count indictment. Count One charges conspiracy to distribute 500 grams or more of cocaine, in violation of 21 U.S.C. §§841(a)(1) & 846. Count Two charges conspiracy to commit money laundering, in violation of 18 U.S.C. §1956. These charges must be dismissed.

2. On July 21, 2017, the United States government filed a criminal complaint charging Ms. Vovk with conspiracy to distribute 500 grams or more of cocaine. On April 14, 2018, a Red Notice was published for Ms. Vovk, a Russian National.

3. She was arrested in Finland on December 15, 2018. On December 19, 2019, *following* her arrest, a second criminal complaint was filed charging her with money laundering.

4. On June 20, 2019, she was extradited from Finland to the United States. A preliminary hearing was held in this Court on June 24, 2019. On October 4, 2019, Ms. Vovk was arraigned on the aforementioned indictment. A jury trial is set for December 16, 2019.

5. While the United States has an extradition treaty with Finland, it does not have such a treaty with Russia. See *Finland Extradition Treaty with the United States*, 31 UST 944, TIAS 9626, 1203 UNTS 165 (May 11, 1980). The extradition of Ms. Vovk, who is Russian, from Finland was, therefore, unlawful and the indictment against her must be dismissed.

6. In addition, the delay between Ms. Vovk's arrest and her extradition violated her constitutional right to a speedy trial. The Speedy Trial Clause of the Sixth Amendment provides that "[i]n all criminal prosecutions, the accused shall enjoy the right to a speedy trial." See U.S. Const. *amend. VI*.

7. Finally, Count Two of the indictment must be dismissed under the "Rule of Specialty," which provides that a country may not expand the charges against someone arrested in a foreign country. In the instant case, the money laundering complaint was filed *after* Ms. Vovk had already been arrested in Finland.

At that time, she had only been charged with a cocaine conspiracy. Thus, she may not be lawfully be indicted for money laundering in the United States

WHEREFORE, Defendant respectfully requests that the Court grant the foregoing motion in the interests of justice and dismiss the indictment.

Respectfully submitted,

OKSANA VOVK  
By Counsel

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/s/

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of October 2019, a true and accurate copy of the foregoing was electronically filed and served via the Court's CM/ECF system to all counsel of record.

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/s/

JEFFREY D. ZIMMERMAN